

Judge Leighton

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD BROWN,

Defendant.

NO. C08-5599RBL
(CR03-5426RBL)

ORDER

Having reviewed the Government's Motion for an Order Regarding Defendant Richard Brown's Waiver of His Attorney-Client Privilege, and based upon the reasons set forth in that Motion,

IT IS HEREBY ORDERED that Defendant Brown, by raising issues related to his legal representation in the context of his 2255 petition, has waived his attorney-client privilege for the purpose of litigation that motion. Accordingly, Brown's former attorney, Paula Olson, is hereby authorized to provide evidence of their conversations with Brown (including otherwise privileged legal conversations), by way of affidavit, testimony, or in any other form. Paula Olson is also authorized to produce documents and records related to her representation of Brown to the Government.

IT IS FURTHER ORDERED that, absent further orders from this Court, the evidence provided pursuant to this Order shall be used solely for the purpose of litigating Brown's 2255 petition and shall not be admissible against Brown in any other proceeding, including at any trial in this case. This Order shall remain in effect even after

1 the Court has ruled on Brown's 2255 petition. Both parties retain the right to apply to the
2 Court for modification of this Order.

3 DATED this 9th day of April, 2009.

4 
5 RONALD B. LEIGHTON
6 UNITED STATES DISTRICT JUDGE

7 Presented by:

8 /s/ Bruce F. Miyake
9 BRUCE F. MIYAKE
10 Assistant United States Attorney
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